

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROBERT M. BROWN)
Plaintiff,)
MICHAEL J. ASTRUE,¹) CIVIL ACTION NO. 2:04-CV-62
COMMISSIONER OF)
SOCIAL SECURITY,)
Defendant.)

ORDER

Upon consideration of the Plaintiff's application for attorneys fees, and the Defendant's response with no objection thereto, it is hereby

ORDERED that the Defendant pay Travis M. Miller, Esquire attorney fees, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of Four Thousand Seven Hundred Ninety-Five Dollars and Twenty-Nine Cents (\$4,795.29) pursuant to 28 U.S.C. § 1920, as costs of litigation.

Date: January 5, 2008

Robert E. Sharpen

UNITED STATES DISTRICT JUDGE

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart, as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).